

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CHRISTINE KOEHLER, as Administratrix v.
UNITED STATES

5:01-CV-692
(FJS/GJD)

DAVID A. KALABANKA, ESQ., for Plaintiff
WILLIAM F. LARKIN, AUSA, for Defendant

ORDER

On October 5, 2005, this court held a telephone conference with the attorneys for both sides. Based on that telephone conference and the probability that there may be additional periods of inactivity in this case, it appears that there is no reason to maintain this action on the open docket for statistical purposes.

WHEREFORE, it is hereby

ORDERED THAT: the Clerk of the Court is instructed to submit a JS-6 (using Statistical Code 18) to the Administrative Office of the U.S. Courts.

The parties are advised that nothing contained in this order shall be considered a dismissal or disposition of the above entitled action, and should further proceedings become necessary or desirable, *any party may reopen the action by making that request to the court in writing.*

Upon notification to reopen the action, the parties are directed to request a Rule 16 conference so that a new scheduling order can be issued.

The Clerk is directed to serve a copy of this order on the parties and Chief United States District Judge Frederick J. Scullin, Jr.

Dated: October 14, 2005.



Hon. Gustave J. DiBianco
U.S. Magistrate Judge